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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Serial No.: 09/429,939
Filed: 10/29/1999
Applicant: Authier
For: Water Freeze Control
For Hot Tub Spa

Examiner: Prunier, Kathleen J.
Group Art: 3751

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7/27/04

Signature: 

John R. Ross, III

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 CFR 1.181(a)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

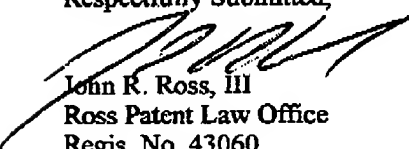
Dear Sir,

This petition is in response to the Notice of Abandonment sent 7/23/2004. The Notice of Abandonment stated, "This application is abandoned in view of Applicant's failure to timely file a proper reply to the Office letter mailed 10 October 2003."

In response, Applicant submits that a proper reply was filed on 04/09/2004 via Express Mail (Exp. Mail No. ER884555508US). The 04/09/2004 response included a request for continuing examination entitled "Continued Prosecution Application Request Transmittal", a Petition for Extension of Time, and a check for \$440. Moreover, on 4/12/2004 another Petition for Extension of Time was filed via facsimile (with Certificate) requesting a further time extension. Copies of both the 04/09/2004 and the 04/12/2004 filings are included with this petition.

In the 7/23/2004 Notice of Abandonment, there appears to have been no consideration given to the 04/09/2004 or 04/12/2004 filings. Therefore, because the reply to the Office letter mailed 10 October 2003 was timely and adequate, Applicant respectfully requests withdrawal of the holding of abandonment.

Respectfully Submitted,



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